

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

United States of America,

Plaintiff,

Criminal No. 14-mj-30245

v.

Daniel Clayton,

Defendant.

**MOTION AND BRIEF FOR LEAVE TO
DISMISS COMPLAINT WITHOUT PREJUDICE**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States of America hereby moves for leave to dismiss without prejudice the complaint against *Defendant* Daniel Clayton. In this case, the government needs additional time

- 1) to develop and obtain evidence sufficient to establish defendant's guilt beyond a reasonable doubt;
- 2) to investigate the full extent of the offense in question and identify all other individuals who should be held criminally responsible for the offense; or
- 3) to decide whether criminal prosecution of defendant for the offense in question is in the public interest.

See generally United States v. Lovasco, 431 U.S. 783,790-96 (1977); 18 U.S.C. § 3161(d)(1). The government's ability to prosecute this case properly would be

substantially impaired were it required to proceed to indictment or information within the 30-day period prescribed by the Speedy Trial Act, *see* 18 U.S.C. §§ 3161(b), 3161(h). Accordingly, the government requests leave to dismiss the complaint without prejudice.

Respectfully submitted,

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Dated: June 19, 2014

CERTIFICATE OF SERVICE

I hereby certify that on Monday, May 12, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney of record.

I further certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

N/A

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